

Paper No. 801
Disposes of
Paper No. 745

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
SITTING AT TOKYO, JAP.

Case No. 1

THE UNITED STATES OF AMERICA; et al) ORDER:
) GRANTING THE ISSUANCE OF
- vs -) SUMMONSES FOR 13 WITNESSES
) ON BEHALF OF THE ACCUSED
) ITAGAKI, OKAWA, MINAMI,
ARAKI, Sadao; et al) UMEZU, AND HOSHINO, UPON
) CERTAIN TERMS AND CONDITIONS

This matter coming on to be heard on this 20th day of March 1947, before The Honorable Sir William Webb, President of the Tribunal, upon the application of ITAGAKI, Seishiro, OKAWA, Shumei; MINAMI, Jiro; UMEZU, Yoshijiro; and HOSHINO, Naoki, five of the accused herein, by their respective Counsel of record, for the production of certain witnesses necessary to the defense of the said accused and each of them, in accordance with the provisions of Section III, Article 9, Paragraph (e) of the Charter, the names, nationality and present addresses of the said witnesses being fully set forth in said application, which is Paper No. 745; and after hearing the statements and arguments of Counsel for the said accused and for the Prosecution, and the Tribunal being fully advised in the premises, it is

ORDERED: That said application as to each of the following named persons be granted, upon the terms and conditions, however, hereinafter set forth:

1. TAKEUCHI, Ayayoshi;
 - (a) The nationality of the witness is Japanese;
 - (b) His present address is Ogiya, Kamakura-shi,

Kanagawa-ken, Japan;

2. YAMAGUCHI, Juji;

- (a) The nationality of the witness is Japanese;
- (b) His present address is No. 1007, Shimoshinden, Negatamura, Kimitsu-gun, Chiba, Japan;

3. SHIMAMOTO, Shoichi;

- (a) The nationality of the witness is Japanese;
- (b) His present address is No. 872, Nakajima, Mononobe, Sumotoshi, Hyogo-ken, Japan;

4. KAWABE, Torashiro;

- (a) The nationality of the witness is Japanese;
- (b) His present address is c/o Mr. Teizo Takano, No. 2 Nichome, Higashi Sotoboricho, Higashiku, Nagoyashi, Japan;

5. TAKEDA, Hisashi;

- (a) The nationality of the witness is Japanese;
- (b) His present address is No. 9215, Ina, Ina Machi, Kamiinagun, Naganoken, Japan;

6. NAKAMURA, Kotaro;

- (a) The nationality of the witness is Japanese;
- (b) His present address is No. 630, Aza Taira, Shimoyamaguchi, Hayamamachi, Miuragun, Kanagawaken, Japan;

7. KANAI, Shoji;

- (a) The nationality of the witness is Japanese;
- (b) His present address is 4376, Babacho, Uedashi, Naganoken, Japan;

8. ISHIMARU, Shigumaro;

- (a) The nationality of the witness is Japanese;

- (b) His present address is No. 791, Unanecho,
Setagayaku, Tokyo, Japan;
9. MATSUKI, Kyo;
(a) The nationality of the witness is Japanese;
(b) His present address is Yutagawa, Nishitagawa-gun
Yamagataken, Japan;
10. ONODERA, Naosuke;
(a) The nationality of the witness is Japanese;
(b) His present address is c/o The Kameyama
State Hospital, Beppu Shi, Oitaken, Japan;
11. TAKAMURA, Iwao;
(a) The nationality of the witness is Japanese;
(b) His present address is c/o Identification
Section, Tokyo Metropolitan Police Board;
12. HAYASHIDE, Kenjiro;
(a) The nationality of the witness is Japanese;
(b) His present address is No. 371, Nichome,
Kitagawa, Setagayaku, Tokyo, Japan;
13. KASHIWA, Toku;
(a) The nationality of the witness is Japanese;
(b) His present address is No. 102, Miyashitacho,
Fukushimashi, Fukushima-ken, Japan;

and that a summons be issued by the General Secretary of the Tribunal, commanding each of the said persons, to-wit; TAKEUCHI, Ayayoshi; YAMAGUCHI, Juji; SHIMAMOTO, Shoichi; KAWABE, Torashiro; TAKEDA, Hisashi; NAKAMURA, Kotaro; KANAI, Shoji; ISHIMARU, Shigumaro; MATSUKI, Kyo; ONODERA, Naosuke; TAKAMURA, Iwao; HAYASHIDE, Kenjiro; and KASHIWA, Toku, to attend and testify before said Tribunal as a witness for the accused ITAGAKI, Seishiro; OKAWA, Shumei; MINAMI, Jiro; UMEZU, Yoshijiro; and HOSHINO, Naoki, at a

time indicated to the General Secretary of the Tribunal, by Counsel of record for the said accused, as a probable date when the witnesses will be actually required for interrogation by Counsel for the accused, and to give evidence; and it is further

ORDERED: That with the exception of the issuance of summons for the proposed witness KANAI, Shoji, the granting of the application and the issuance of summonses thereunder and pursuant thereto are upon the express terms and conditions that the evidence of each of the witnesses named and set forth in said application, shall be taken and reduced to writing in the form of an affidavit, and that copies of each of said affidavits, in the English language only, be served on the individual Judges of the Tribunal, at least three days before said evidence is given in Court, and said affidavits shall be tendered in evidence as the testimony in chief of the witness so giving it and in lieu of direct examination; and it is further

ORDERED: That the terms and conditions above set forth shall not apply to the proposed witness KANAI, Shoji, and summons shall be issued as to him without restriction.

Dated at Tokyo, Japan, this 15 April 1947.

BY THE TRIBUNAL:

(Signed) W. F. Webb
PRESIDENT